

Request Details

Status : Assignment Determination Due Date : 09/16/2015

10

Submitted Evaluation Assignment Processing Closed

Tracking Number : EPA-HQ-2015-009962
Requester : Ms. Paula Dinerstein
Organization : PEER
Requester Has Account : No
Email Address : pdinerstein@peer.org
Phone Number : 202-265-7337
Fax Number : N/A
Address : 2000 P Street, N.W., Suite 240
City : Washington
State/Province : DC
Zip Code/Postal Code : 20036

Submitted Date : 08/18/2015
Perfected Date : 08/18/2015
Last Assigned Date : 08/19/2015
Fee Limit : \$25.00
Request Track : Simple
Due Date : 09/16/2015
Assigned To : Paul Cestone (Office of Pollution Prevention and Toxics)
Last Assigned By : Colby Lintner (Office of Pollution Prevention and Toxics)

Submission Details

Case File

Admin Cost

Assigned Tasks

Comments (2)

Review

Request Handling

Requester Info Available to the Public : Yes
Request Track : Simple
Fee Category : Select Fee Category
Fee Waiver Requested : Yes
Fee Waiver Status : Full Grant
Expedited Processing Requested : No
Expedited Processing Status : N/A

Request Perfected : Yes
Perfected Date : 08/18/2015
Acknowledgement Sent Date :
Unusual Circumstances ? : No
5 Day Notifications :
Litigation : No

Request Description

Short Description :

Records concerning EPA's recent changes to its website materials concerning polychlorinated biphenyls (PCBs) in schools and other buildings, including "Practical Actions for Reducing Exposure to PCBs in Schools and Other Buildings", dated July 28, 2015; "PCBs in Building Materials, Questions and Answers", dated July 28, 2015; and "Exposure Levels for Evaluating PCBs in Indoor Air" (undated).

Description Available to the Public : No

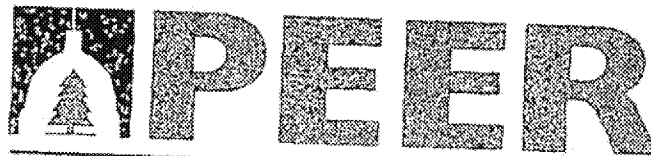
Has Description Been Modified?

Attached Supporting Files

Attachments Available to the Public : No

Attached File	Type	Size (MB)	Remove
FOIA - REQUEST - of 8-14-2015 fr Paula Dinerstein.pdf	PDF	0.13	

Upload Supporting Files



Public Employees for Environmental Responsibility

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e-mail: info@peer.org • website: www.peer.org

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
Email: hq.foia@epa.gov

Sent by email and postal mail

RE: FOIA REQUEST

August 14, 2015

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, as amended, Public Employees for Environmental Responsibility (PEER) requests information concerning EPA's recent changes to its website materials concerning polychlorinated biphenyls (PCBs) in schools and other buildings, including "Practical Actions for Reducing Exposure to PCBs in Schools and Other Buildings," dated July 28, 2015; "PCBs in Building Materials, Questions and Answers," dated July 28, 2015; and "Exposure Levels for Evaluating PCBs in Indoor Air" (undated). Specifically, we request the following:

1. Any and all documents, communications (including emails and notes of oral conversations) and scientific data or studies which pertain to, discuss, support or underlie the changes in the "Exposure Levels for Evaluating PCBs in Indoor Air" as compared with the previous "Recommended Public Health Levels for PCBs in Indoor School Air."
2. Any and all documents, communications (including emails and notes of oral conversations) and scientific data or studies which pertain to, discuss, support or underlie the "Recommended Public Health Levels for PCBs in Indoor School Air" which EPA previously posted on its website.
3. Any and all documents, communications (including emails and notes of oral conversations) and scientific data or studies which pertain to, discuss, support or underlie the changes in the "PCBs in Building Materials, Questions and Answers," dated July 28, 2015, as compared with the document "PCBs in Caulk - Q&A" previously posted on EPA's website.
4. Any and all documents, communications (including emails and notes of oral conversations) and scientific data or studies which pertain to, discuss, support or underlie

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cracking, or deteriorating or if PCB air levels exceed EPA suggested levels, or whether that recommendation has been superseded or modified, and if so, how and why.

8. Any and all documents and communications pertaining to whether the following statements in the document "How to Test for PCBs and Characterize Suspect Materials" reflect current EPA policy, guidance, scientific conclusions or advice to the public, and if not, why not and in what manner EPA policy, guidance, scientific conclusions or advice to the public have changed from that reflected in the following quotation:

Building Characterization and Sampling Plan

A sampling plan should be developed to characterize the caulk and other potential building materials that might either contain PCBs or be contaminated through contact with PCB-containing caulk such as wood, masonry, or brick. The sampling plan should consider the following steps:

1. Test indoor air to determine if PCBs are present in building indoor air. If your building is a school you can compare the test results to the Exposure Levels for Evaluating PCBs in Indoor School Air. If PCBs in indoor school air are above the exposure levels determine the extent of the problem by:
2. Testing suspect building material to determine PCB sources. Building material that is removed and contains 50 ppm PCBs or greater is regulated for disposal (see Abatement Step 3)
3. Evaluate building material sample results and determine if surrounding materials warrant testing.
4. Outline areas requiring corrective action and prioritize contaminated building materials for removal based on their PCB-concentration levels, potential accessibility, and building occupancy (see Abatement Step 1 for more details).

In a January 21, 2009 memo, President Barack Obama declared the following policy for the Executive Branch:

"The Freedom of Information Act should be administered with a clear presumption: In the face of doubt, openness prevails. The Government should not keep information confidential merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears. Nondisclosure should never be based on an effort to protect the personal interests of Government officials at the expense of those they are supposed to serve... All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in FOIA, and to usher in a new era of open Government. The presumption of disclosure should be applied to all decisions involving FOIA."

Through these methods, PEER generates an average of 1.5 mainstream news articles per day. Moreover, PEER has repeatedly demonstrated the ability to generate nationwide news coverage concerning activities occurring within the EPA.

4. Disclosure would not serve a commercial interest of the requestor.

Disclosure is in no way connected with any commercial interest of the requestors in that PEER is a nonprofit, nonpartisan public interest organization concerned with upholding the public trust through responsible management of our nation's resources and with supporting professional integrity within public land management and pollution control agencies. To that end, PEER is designated as a tax-exempt organization under section 501 (c) (3) of the Internal Revenue code.

If you have any questions about this FOIA request, please contact me at (202) 265-7337. I look forward to receiving the agency's final response within 20 working days.

Cordially,

A handwritten signature in cursive script that reads "Paula Dinerstein".

Paula Dinerstein
Senior Counsel

Submitted Evaluation Assignment Processing Closed

Tracking Number : EPA-HQ-2015-009963
Requester : Ms. Paula Dinerstein
Organization : PEER
Requester Has Account : No
Email Address : pdinerstein@peer.org
Phone Number : 202-265-7337
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Address : 2000 P Street., N.W., Suite 240
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Submission Details Case File Admin Cost Assigned Tasks Comments (2) Review

Request Handling

Requester Info Available to the Public : Yes
Request Track : Simple
Fee Category : Other
Fee Waiver Requested: Yes
Fee Waiver Status: Full Grant
Expedited Processing Requested : No
Expedited Processing Status : N/A

Request Perfected : Yes
Perfected Date : 08/18/2015
Acknowledgement Sent Date:
Unusual Circumstances ? : No
5 Day Notifications:
Litigation : No

Request Description

Short Description :

Requests records and documents concerning EPA's involvement with matters concerning suspected or actual toxic contamination with polychlorinated biphenyls (PCBs) in schools in the United States.

Description Available to the Public : Yes

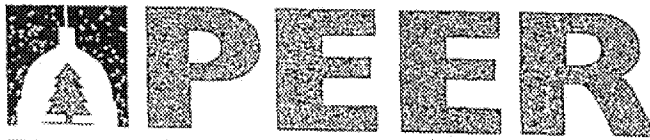
Has Description Been Modified? ☐

Attached Supporting Files

Attachments Available to the Public : Yes

Attached File	Type	Size (MB)	Remove
FOIA -- REQUEST of 8-18-2015 fr Paula Dinerstein - II.pdf	PDF	0.09	

Upload Supporting Files



Public Employees for Environmental Responsibility

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Sent by email and postal mail

August 14, 2015

RE: FOIA REQUEST

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, as amended, Public Employees for Environmental Responsibility (PEER) requests information concerning EPA's involvement with matters concerning suspected or actual toxic contamination with polychlorinated biphenyls (PCBs) in schools in the United States. Specifically, we request the following:

1. Any and all documentation of consent orders, agreements, or voluntary actions concerning the identification of, testing for, and/or remediation of PCB-containing materials at schools in the United States.
2. Any and all documents or communications, including but not limited to emails and notes of oral communications, reflecting or relating to the reporting of the presence of PCBs in schools to the U.S. Environmental Protection Agency (EPA) or any of its Regional offices.
3. All correspondence, including emails and notes of oral communications, between officers or employees of EPA and representatives of school districts or school administrations, concerning the matters in the first two requests.

In a January 21, 2009 memo, President Barack Obama declared the following policy for the Executive Branch:

"The Freedom of Information Act should be administered with a clear presumption: In the face of doubt, openness prevails. The Government should not keep information confidential merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears. Nondisclosure should never be based on an effort to protect the personal interests of

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Through these methods, PEER generates an average of 1.5 mainstream news articles per day. Moreover, PEER has repeatedly demonstrated the ability to generate nationwide news coverage concerning activities occurring within the EPA.

4. Disclosure would not serve a commercial interest of the requestor.

Disclosure is in no way connected with any commercial interest of the requestors in that PEER is a nonprofit, nonpartisan public interest organization concerned with upholding the public trust through responsible management of our nation's resources and with supporting professional integrity within public land management and pollution control agencies. To that end, PEER is designated as a tax-exempt organization under section 501 (c) (3) of the Internal Revenue code.

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Paula Dinerstein
Senior Counsel